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BLM Issues Proposed Rule on Conveyances, Disclaimers, and Correction Documents

The Department of the Interior issued a proposed rule today that would allow any entity claiming title to lands or an interest in lands to apply for a “recordable disclaimer of interest,” an official determination that the United States neither owns nor holds valid interest in certain lands. The disclaimer document is used to create an administrative procedure for landowners and other claimants to remove clouds from their title to lands or interest in lands. The proposed rule would also exempt States from the requirement that an applicant request a disclaimer within 12 years of when it knew or should have known of a claim by the United States to the lands or interest in lands in question.

Section 315 of FLPMA, the Federal Land Policy and Management Act (43 U.S.C., 1745), grants the Secretary of the Interior discretionary authority to issue disclaimers of this kind. The Secretary has delegated this authority to the BLM, and regulations to implement this authority were issued on September 1984. Applicants for a disclaimer of interest must pay a nonrefundable fee of \$100, plus other administrative costs.

The public is invited to comment in writing on this proposed rule. The rule itself includes information on how to submit comments, which the BLM should receive on or before April 23, 2002.

The BLM, an agency of the U.S. Department of the Interior, manages more land — 262 million surface acres — than any other Federal agency. Last year marked the 25th anniversary of the Federal Land Policy and Management Act, which gave the BLM its comprehensive mission to manage the public lands for a variety of uses so as to benefit present and future generations. The BLM accomplishes this by managing for such resources as livestock grazing and mineral development, which helps meet the nation’s energy needs, and by conserving natural, historical, cultural, and other resources on the public lands. Most of the country’s BLM-managed public land is located in 12 Western states, including Alaska. These lands, once remote, now provide the growing communities of the West with open space that gives the region much of its character.